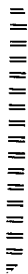




09/08/98

237/037
Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Anticipated Classification of this application:

Class _____ Subclass _____

Prior application: S.N. 08/356,481Examiner: W. Fridie, Jr.Art Unit: 3206

BOX PATENT APPLICATION

Assistant Commissioner for Patents
Washington, D. C. 20231

FILING UNDER 37 CFR § 1.53(B)

This is a request for filing for a

☒ continuation ☐ divisionalapplication under 37 CFR § 1.53(b) of pending prior application Serial
No. 08/356,481 filed on December 15, 1994, which will issue as U.S. Patent
No. 5,803,501 on September 8, 1998, ofADRIAN GLUCKfor: MEMORABILIA CARD

1. COPY OF PRIOR APPLICATION AS FILED WHICH IS ATTACHED

☒ I hereby verify that the attached papers are a true and complete copy of what
is shown in my records to be the above-identified prior application, including
the oath or declaration as originally filed. (37 CFR § 1.53)9 Pages of Specification2 Pages of Claims1 Pages of Abstract1 Sheets of Drawings formal ☐ informal ☒3 Pages of Declaration and Power of Attorney2 Small Entity StatementCERTIFICATE OF MAILING
(37 C.F.R. §1.10)I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal
Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the
Assistant Commissioner for Patents, Washington, D.C. 20231.EL072335763US

Express Mail Label No.

September 08, 1998

Date of Deposit

Jodie Davis

Name of Person Mailing Paper

Signature of Person Mailing Paper

- ☒ In accordance with the indication required by 37 CFR § 1.53(b), my records reflect that the original signed declaration showing applicant's signature was filed on December 13, 1994.
- ☐ The amendment referred to in the declaration filed to complete the prior application, and I hereby state, in accordance with the requirements of 37 CFR § 1.53(b), that this amendment did not introduce new matter therein.

2. AMENDMENTS

- ☒ Cancel in this application original Claims 2-5 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- ☒ A Preliminary Amendment is enclosed. (Claims added by Amendment must be numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

3. INFORMATION DISCLOSURE STATEMENT

- ☐ An Information Disclosure Statement, PTO 1449, and references are submitted herewith.

4. PETITION FOR SUSPENSION OF PROSECUTION FOR THE TIME TO FILE AN AMENDMENT

- ☐ There is provided herewith a PETITION FOR SUSPENSION OF PROSECUTION FOR THE TIME NECESSARY TO FILE AN AMENDMENT (NEW APPLICATION FILED CONCURRENTLY).

5. FEE CALCULATION

BASIC FILING FEE:						\$790.00
Total Claims	18	-	20	=	0 x \$22.00	\$0.00
Independent Claims	4	-	3	=	1 x \$82.00	\$82.00
Multiple Dependent Claims	\$270	(if applicable)			<input type="checkbox"/>	\$0.00
Surcharge 37 CFR 1.16(e)	\$130	(if applicable)			<input type="checkbox"/>	\$0.00
TOTAL OF ABOVE CALCULATIONS						\$872.00
Reduction by ½ for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28. If applicable, Verified Statement must be attached. <input checked="" type="checkbox"/>						\$436.00
Misc. Filing Fees (Recordation of Assignment)						\$0.00
TOTAL FEES SUBMITTED HEREWITH						\$436.00

- ☐ The fee for extra claims is not being paid at this time.

6. SMALL ENTITY STATUS

- ☐ A Verified Statement to establish small entity under 37 CFR §§ 1.9 and 1.27 is attached
- ☒ has been filed in the prior application and such status is still proper and desired. [37 CFR § 1.28(a)]

Filing Fee Calculation (50% of above) \$436.00

7. DRAWINGS

[NOTE: DO NOT CHECK THIS IF PRIOR CASE IS NOT TO BE ABANDONED.]

- ☐ Transfer the drawings from the prior application to this application and, subject to Item 16 below, abandon said prior application as of the filing date accorded to this application. A duplicate copy of this request is enclosed for filing in the prior application file.
[May only be used if signed by (1) applicant, (2) assignee of record or (3) attorney or agent of record and before payment of issue fee. 37 CFR § 1.138.]
- ☒ Transfer the following sheet(s) of drawings from the prior application to this application.
- ☒ New drawings are enclosed ☒ formal ☐ informal

8. PRIORITY - 35 USC § 119

- ☐ Priority of application Serial No. _____ filed on _____ in _____ [country] is claimed under 35 USC § 119.
- ☐ The certified copy has been filed in prior U.S. application Serial No. _____ on _____.
- ☐ The certified copy will follow.

9. RELATE BACK - 35 USC § 120

- ☒ Amend the Specification by inserting before the first line the sentence:
This is a continuation of co-pending application Serial No. 08/356,481 filed December 15, 1994, which will issue as U.S. Patent No. 5,803,501 on September 8, 1998.

10. INVENTORSHIP STATEMENT

- ☒ With respect to the prior co-pending U.S. application from which this application claims benefit under 35 USC § 120, the inventor(s) in this application is (are):
- ☒ the same
- ☐ less than those named in the prior application and it is requested that the following inventor(s) identified above for the prior application be deleted:

[Type name(s) of inventor(s) to be deleted]

- ☒ The inventorship for all the claims in this application are:
- ☒ the same
- ☐ not the same, and an explanation, including the ownership of the various claims at the time the last claimed invention was made, is submitted.

11. ASSIGNMENT

- ☒ The prior application is assigned of record to LNCJ Limited
- ☐ An Assignment of the invention to _____ is attached.

12. FEE PAYMENT BEING MADE AT THIS TIME

- ☐ Not attached. No filing fee is submitted. [This and the surcharge required by 37 CFR 1.16(e) can be paid subsequently.]
- ☒ Attached.
- | | |
|---|-----------------|
| <input checked="" type="checkbox"/> Filing fees. | <u>\$436.00</u> |
| <input type="checkbox"/> Recording assignment.
[\$40.00 37 CFR § 1.21(h)(1)] | ----- |
| <input type="checkbox"/> Petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached.
[\$130.00; 37 CFR §§ 1.47 and 1.17(h)] | ----- |
| <input type="checkbox"/> Petition fee to Suspend Prosecution for the Time Necessary to File an Amendment (New Application Filed Concurrently.)
[\$130.00; 37 CFR §§ 1.103 and 1.17(i)] | ----- |

☐ For processing an application with a specification in a non-English language.
[\$130.00; 37 CFR §§ 1.52(d) and 1.17(k)] -----

☐ Processing and retention fee.
[\$130.00; 37 CFR §§ 1.53(f) and 1.21(l)] -----

Total Fees Enclosed \$436.00

13. METHOD OF PAYMENT OF FEES

- ☒ Attached is a check in the amount of \$436.00.
- ☐ Charge Deposit Account No. **12-2475** in the amount of _____.

14. AUTHORIZATION TO CHARGE ADDITIONAL FEES

The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Deposit Account No. **12-2475**:

- ☒ 37 CFR § 1.16(a) (filing fees)
- ☒ 37 CFR § 1.16(b) (presentation of extra claims)
- ☒ 37 CFR § 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)
- ☒ 37 CFR § 1.17 (application processing fees)
- ☐ 37 CFR § 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR § 1.311(b))

15. INSTRUCTIONS AS TO OVERPAYMENT

- ☒ Credit Deposit Account No. **12-2475**.
- ☐ Refund

16. POWER OF ATTORNEY

- ☐ The power of attorney in the prior application is to -----
- ☒ The power of attorney in the prior application is to the registered attorneys listed below and members of or associates in the law firm of **LYON & LYON LLP**, 633 West Fifth Street, 47th Floor, Los Angeles, California 90071, Registration No. 11,611, whose members are registered to practice in the U.S. Patent and Trademark office:

Roland N. Smoot, Reg. No. 18,718
Conrad R. Solum, Jr., Reg. No. 20,467
James W. Geriak, Reg. No. 20,233
Robert M. Taylor, Jr., Reg. No. 19,848
Samuel B. Stone, Reg. No. 19,297
Douglas E. Olson, Reg. No. 22,798
Robert E. Lyon, Reg. No. 24,171
Robert C. Weiss, Reg. No. 24,939
Richard E. Lyon, Jr., Reg. No. 26,300
John D. McConaghy, Reg. No. 26,733
William C. Steffin, Reg. No. 26,811
Coe A. Bloomberg, Reg. No. 26,605
J. Donald McCarthy, Reg. No. 25,119
John M. Benassi, Reg. No. 27,483
James J. Shalek, Reg. No. 29,749
Allan W. Jansen, Reg. No. 29,035
Robert W. Dickerson, Reg. No. 29,914
Roy L. Anderson, Reg. No. 30,240
David B. Murphy, Reg. No. 31,125

James C. Brooks, Reg. No. 29,898
Jeffrey M. Olson, Reg. No. 30,790
Steven D. Hemminger, Reg. No. 30,755
Jerrold B. Reilly, Reg. No. 32,293
Paul H. Meier, Reg. No. 32,274
John A. Rafter, Jr., Reg. No. 31,653
Kenneth H. Ohriner, Reg. No. 31, 646
Mary S. Consalvi, Reg. No. 32,212
Lois M. Kwasigroch, Reg. No. 35,579
Lawrence R. LaPorte, Reg. No. 38,948
Robert C. Laurensen, Reg. No. 34,206
Carol A. Schneider, Reg. No. 34,923
Hope E. Melville, Reg. No. 34,874
Michael J. Wise, Reg. No. 34,047
Richard J. Warburg, Reg. No. 32,327
Kurt T. Mulville, Reg. No. 37,194
Theodore S. Maceiko, Reg. No. 35,593
Bruce G. Chapman, Reg. No. 33,846
F. T. Alexandra Mahaney, Reg. No. 37,668
Reg. No. -----

- ☒ The power appears in the original papers in the prior application.
- ☐ The power does not appear in the original papers, but was filed on _____ in this application.
- ☐ A new power has been executed and is attached.
- ☒ Address all future communications to:

LYON & LYON LLP
633 West Fifth Street, 47th Floor
Los Angeles, California 90071
(714) 751-6606 or (213) 489-1600
Attention: Samuel B. Stone

17. MAINTENANCE OF CO-PENDENCY OF PRIOR APPLICATION

- ☐ A petition, fee and response has been filed to extend the term in the pending **prior** application until _____. A copy of the petition for extension of time in the **prior** application is attached.

18. CONDITIONAL PETITIONS FOR EXTENSION OF TIME IN PRIOR APPLICATION

- ☐ A conditional petition for extension of time is being filed in the pending **prior** application. A copy of the conditional petition for extension of time in the **prior** application is attached.

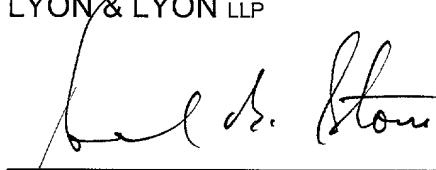
19. ABANDONMENT OF PRIOR APPLICATION

- ☐ Please abandon the prior application at a time while the prior application is pending or when the petition for extension of time or to revive in that application is granted and when this application is granted a filing date so as to make this application co-pending with said prior application. At the same time, please add the words "now abandoned" to the amendment of the specification set forth in Item 2 above.

Respectfully submitted,

LYON & LYON LLP

By:


SAMUEL B. STONE
Reg. No. 19,297

Dated: September 8, 1998

633 West Fifth Street, Suite 4700
Los Angeles, California 90071-2066
(714) 751-6606 or (213) 489-1600

Enclosures

LNCJ Limited
Name of Assignee


Huguenot House, 28 La Motte Street
St. Helier, Jersey, Channel Islands
JE24SZ
Address of Assignee

President
Title of person authorized to sign on behalf of assignee

Assignment recorded in PTO on 05/17/96, Reel 7951, Frame 0213

United States Patent & Trademark Office
Office of Initial Patent Examination – Document Preparation



jc135 U.S. PTO
09/149747
S/N 
09/08/98

Unscannable Application paper found during Document Preparation:

Type of Document

- | | |
|--|--|
| <input type="checkbox"/> Transmittal Letter | <input type="checkbox"/> Oath or Declaration |
| <input checked="" type="checkbox"/> Small Entity Statement | <input type="checkbox"/> Drawing sheet(s) _____ |
| <input type="checkbox"/> Preliminary Amendment | <input type="checkbox"/> Biotech Listings |
| <input type="checkbox"/> Specification page(s) _____ | <input type="checkbox"/> Computer Listings |
| <input type="checkbox"/> Claims | <input type="checkbox"/> Non-English Specification |
| <input type="checkbox"/> Abstract | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Specification, Claims, Abstract (All pages) | |

Application papers are not suitable for scanning and are not in compliance with 37 CFR 1.52 because

- | | |
|---|--|
| <input checked="" type="checkbox"/> <u>Legal-size</u>
(8 1/2" x 14") | - All sheets must be either A4 (21 cm x 29.7 cm) or 8-1/2" x 11" |
| <input type="checkbox"/> <u>Too thin</u> - | Papers are not strong and durable |
| <input type="checkbox"/> <u>Double-sided</u> - | Papers may not be printed on both sides |
| <input type="checkbox"/> <u>Two-Column Specification</u> - | Format can not be electronically reproduced |
| <input type="checkbox"/> <u>Hand-written</u> - | Papers are not typewritten or mechanically produced |
| <input type="checkbox"/> <u>Glossy pages</u> - | Papers are not non-shiny |
| <input type="checkbox"/> <u>Non-white background</u> - | Papers are not white, e.g. photocopies of photographs |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

ADRIAN GLUCK et al.

Serial No.:

Los Angeles, CA. 90071

Filed: Herewith

For: MEMORABILIA CARD

September 8, 1998

A Continuation of Application

Serial No. 08/356,481

Filed: December 15, 1994

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Please cancel original Claims 1 through 5.

Please add the following new claims:

6. An article of memorabilia comprising,

a first member, and

OC-10732.1

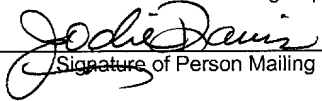
CERTIFICATE OF MAILING
(37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

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Express Mail Label No.

September 08, 1998
Date of Deposit

Jodie Davis
Name of Person Mailing Paper


Signature of Person Mailing Paper

a portion, but not the entirety, of an authentic memorabilia item used by a popular sport or entertainment personality or during a memorable event, said portion attached to said first member.

7. An article as in Claim 6 wherein the first member is a card having a face surface, and said portion is attached to the said face surface.

8. An article as in Claim 6 wherein the authentic item is a baseball bat, and said portion comprises a tiny piece of wood taken from that bat.

9. An article as in Claim 6 wherein the first member includes a sports trading card having an image surface, and said portion is affixed to said surface near where an image of the authentic item normally would appear.

10. An article as in Claim 6 wherein the first member comprises a scaled version of the sports or entertainment personality.

11. An article as in Claim 6 wherein said portion comprises a tiny piece of an authentic item of clothing worn by the sports or entertainment personality.

12. An article as in Claim 6 wherein the authentic item is a baseball, and said portion comprises a tiny piece of material taken from said baseball.

13. An article as in Claim 6 wherein the authentic item is a football, and said portion comprises a tiny piece of material taken from said football.

14. An article as in Claim 6 wherein the authentic item is a basketball, and said portion comprises a tiny piece of material taken from said basketball.

15. An article as in Claim 6 wherein the authentic item is a hockey puck, and said portion comprises a tiny piece of material taken from said hockey puck.

16. An article as in Claim 6 wherein the authentic item is a soccer ball, and said portion comprises a tiny piece of material taken from said soccer ball.

17. An article of memorabilia comprising,

a first member, and

a portion, but not the entirety, of an authentic memorabilia item used in a popular sport or form of entertainment or during a memorable event, said portion incorporated into said first member.

18. A memorabilia article comprising at least a piece of an authentic implement used or worn either by a popular sport or entertainment person or during a memorable event and wherein less than all of the implement is included.

19. An article as in Claim 18 wherein the implement is a baseball bat, and the piece comprises a tiny piece of wood from that bat, thereby enabling a large number of such articles to be manufactured from the bat.

20. An article as in Claim 18 further including a card having an image surface, and the article being adhered to said surface near where an image of the implement normally would appear.

Dated: September 8, 1998

Respectfully submitted,
LYON & LYON LLP

By:


SAMUEL B. STONE
Reg. No. 19,297
Attorneys for Applicants

633 West Fifth Street, Suite 4700
Los Angeles, California 90071-2066
(714) 751-6606 or (213) 489-1600

S P E C I F I C A T I O N

MEMORABILIA CARD

5 CROSS-REFERENCE TO RELATED APPLICATIONS:

This application is a continuation-in-part of Application Serial No. 08/192,438, filed February 7, 1994, which is a continuation-in-part of Application Serial No. 08/147,139, filed November 3, 1993, the disclosures of which are incorporated herein by reference.

The present invention relates to memorabilia, and more particularly to cards of the trading card type, such as baseball, football, basketball, hockey, soccer, country singers, comic characters and like trading cards and more particularly to a card which incorporates a portion of an implement involved in an historical event to provide a memorabilia card.

BACKGROUND OF THE INVENTION

Trading cards and similar vision effect articles are very familiar in the sports and entertainment fields, and they are a favorite of both youngsters and adults alike. Various forms of trading cards have been developed and promoted over the years, and each typically has on one side a reproduction of a photograph or likeness of a famous figure or personality. Information about the

famous figure, such as statistical and biographical information, frequently is provided on the other side of the card. Premium type cards have been developed in recent years using high quality lithography. Some cards are printed on glossy cardboard stock with
5 crisp color photographs of the player on the front and back. Although the cards usually are referred to as "trading" cards, they are today more frequently viewed as collectibles.

10 New forms of trading cards and other articles for providing enhanced visual effects are described in the above-identified applications.

15 In addition to trading cards, various devices or implements and pieces of clothing, such as baseballs, baseball bats, footballs, basketballs, jerseys, shoes, musical instruments, etc., are marketed in conjunction with photographs, plaques, and the like, as memorabilia. Examples are autographed baseballs, footballs, and the like, as well as photographs and trading cards with an actual autograph and with some form of authentication in
20 the form of a serial number, hologram, or the like. In some cases the item (e.g., baseball, bat, football, etc.) is the one used for some particular memorable event (e.g., 40th home run, 100th touchdown pass, 1000th concert, etc.), and are retained by the famous figure involved or, alternatively, sold at a relatively high

price by that person or someone else. Unfortunately, the high price of such items places them outside of the ability of youngsters and average income families to purchase or otherwise obtain them.

5

SUMMARY OF THE INVENTION

The concept of the present invention is to provide an actual piece or portion of an item in combination with a photograph or the like of a famous figure having a relationship to the item. The item can be combined with a photograph, an image on a trading card, or with famous figure images such as those described in the above-identified co-pending applications, or the like.

In a particular exemplary embodiment of the concepts of the present invention, a memorabilia card is provided comprising a photograph or other printed image of a sports player such as a baseball player shown in an action image holding or swinging a bat, and wherein the bat of the memorabilia card comprises a miniature bat of an appropriate proportion to the person's image, and wherein the miniature bat has been formed using some material from the actual bat used by that person during a memorable event, such as for example, when he hit his 40th home run in a particular year. The photograph can be a photograph of the actual event memorialized, such as the 40th home run.

5 This is accomplished by retaining and purchasing the actual bat, then manufacturing a large number of tiny bats using material from the actual bat, and then gluing or otherwise adhering the tiny or miniature bat onto the picture over or in place of the bat in the action photograph. Additionally, the picture or its associated trading card, plaque or the like, can include an appropriate certification that the miniature bat contains material from the genuine bat used by that player during the memorable event (e.g., 40th home run).

10 The concepts of this invention are not limited to a sports item like a bat, but can include a miniature piece of any other item, such as a baseball, base, clothing (e.g., hat, shirt, shoes, etc.) and accessories such as sunglasses and bracelets, and
15 furthermore the concepts are applicable to any form of sport (including football, hockey, basketball, soccer, etc., and any of the items used in or by players in those sports (e.g., piece of a football, hockey stick, soccer ball, basketball, clothing, etc.)) or entertainment.

20 Accordingly, it is a principle object of the present invention to provide a new form of memorabilia item.

Another object of the present invention is to provide a memorabilia card memorializing a sporting or entertainment event and related item.

5 A further object of this invention is to provide a photograph or other image likeness of a famous figure, along with a miniature or tiny piece of an actual sports item or implement used by the famous figure during a particular event to be memorialized.

10 BRIEF DESCRIPTION OF THE DRAWING

These and other objects and features of the present invention will become better understood through a consideration of the following description taken in conjunction with the drawing in which:

15 Fig. 1 is an elevational view of a memorabilia card according to the present invention;

20 Fig. 2 is a cross-section view thereof taken along a line 2-2 of Fig. 1;

Fig. 3 is an elevational view similar to Fig. 1, but of a trading card with a three-dimensional effect of the nature shown and described in the above-identified co-pending applications; and

Fig. 4 is a cross-sectional view of the card of Fig. 3 taken along a line 4-4 thereof.

DETAILED DESCRIPTION

5 Turning now to the drawing, Figs. 1 and 2 show a first embodiment according to the present invention, and Figs. 3 and 4 illustrate a second embodiment. In the embodiment of Fig. 1, the same comprises essentially a photograph or an image formed by lithography or other photographic or printing method, and comprises a plainer sheet of material 10 as seen in Figs. 1 and 2 with a rendering 12 of an exemplary baseball player holding a bat 14. The image may further comprise a background image 22, as well as a border area 16a-d, along with a block or area 18 for the player's name and/or other information such as the particular event (e.g., 10 40th home run), and a block or area 20 which can comprise a printed certification as will be explained in further detail. According to the present invention, the bat 14 comprises an actual miniature bat formed from material from an actual real bat used by this particular player in the event being commemorated (e.g., 40th home 15 run). The bat 14 may be in a tapered cylindrical form with the same proportions of a real bat or, alternatively, the face 14a may have that shape, whereas the rear side which is adjacent the image surface 10 may be flattened as at 14b. The bat 14 is secured to 20

the card 10 preferably over the image of the bat held by the player 12.

Thus, in the embodiment of Figs. 1 and 2, the image is essentially identical to any photograph, lithograph or other printed sheet or card, and much like conventional trading cards, except that it includes suitably adhered thereto a miniature bat 14, along with a certification 20 certifying the authenticity of that bat 14, being a portion of the actual bat used by that player at the event being memorialized. It may include a background 22.

Another embodiment is illustrated in Figs. 3 and 4 wherein the basic card 30 is made according to the concepts described in the above-noted co-pending patent applications, the disclosures of which are incorporated herein by reference. The card 30 comprises a base substrate 32 having a background image 34 and a foreground image of a player 36. The surface of the foreground picture of the player 36 is slightly spaced outwardly from the background picture area 34, and as described in said co-pending applications typically is about forty-thousandths of an inch and within the range of approximately ten to sixty-thousandths of an inch. Similarly, a frame comprising the sections 38a-d preferably also is raised or extends outwardly to help provide an enhanced realism picture, although it is not required that this

frame 38 so extend outwardly. Further, the embodiment of Figs. 3 and 4 can include a block or area 40 for the player's name, and a block or area 42 for a certificate like area 20 in Fig. 1.

5 Importantly, the embodiment of Figs. 3 and 4 also includes a bat 44 like the bat 14 of Figs. 1 and 2. That is, the bat 44 is a miniature bat formed from the actual bat used by the player at the memorable event, and the certificate 42 attests to that authenticity. As was the case with Figs. 1 and 2, the bat 44 can be in a cylindrical tapered form with proportions like a real bat, or the bottom side which adjoins the image area 34 can be flattened. In either case, the bat 44 is secured by a suitable adhesive to the substrate 30. The bat 44, as does the bat 14, provides a further enhanced realism as well as enhances the memorabilia value of the overall card.

10 In the embodiment of Figs. 3 and 4, the substrate 30 can be extended to include a section 50 which, as best seen in Fig. 4, forms an "A" frame or stand in combination with the substrate 30. Preferably, there is a small die cut along top edge 52 which allows the substrate sections 30 and 50 to readily fold flat or be extended outwardly in the "A" fashion as seen in Fig. 4.

Although exemplary embodiments of the present invention have been shown and described in connection with a baseball player and a baseball bat, the concepts are applicable to all sports and other activities and items which may function as memorabilia as earlier noted. For example, the present concepts could be extended to use for personal and other photographs, wherein some items, such as a piece of wedding gown of a bride, is secured to a photograph of the person over or adjacent to the image of the item.

While embodiments of the present invention have been shown and described, various modifications may be made without departing from the scope of the present invention, and all such modifications and equivalents are intended to be covered.

WHAT IS CLAIMED IS:

1. A memorabilia card comprising a substrate in the form of a card and having an image surface,

the image surface including a background image and a foreground image, and wherein the foregoing image is of a famous figure,

a piece of ~~an~~ item being adhered to the card adjacent where an image of the actual item normally would appear, and

the card including a certificate attesting to the authenticity of the item.

2. A card as in claim 1 wherein the foreground image is an action image of a baseball batter, the ~~sports~~ item is a miniature replica of a baseball bat formed from a bat used by that sports player at a memorable event, and the certificate includes a statement attesting to the authenticity of the miniature bat being formed from the actual bat.

3. A card as in claim 2 wherein the miniature bat is adhered to the card by an adhesive.

4. A card as in claim 1 wherein the foreground image is spaced from the background image within the range of approximately

ten to sixty-thousandths of an inch, and the ~~sports~~ item comprises a miniature bat adhered over an area of the background image.

- 5 5. A card as in claim 1 including a card section foldable in a manner to provide a stand substantially in the form of the shape of an "A" for displaying the images thereon.

ABSTRACT OF THE DISCLOSURE

There is disclosed herein a memorabilia card in the form of a substrate having an image surface and wherein the image surface typically includes an action image of a famous figure. An example is a baseball batter in the act of batting a ball. There further is provided a miniature replica of an item used by the personality at a memorable event and which replica item is made from an item used by the personality at the memorable event. An example is a miniature bat adhered to the image surface in the position where an image of the bat normally would appear, and which is made from the bat used by the personality at a memorable event, such as a particular home run. The card further preferably includes the name of the personality and a certification of the authenticity of the item.

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S/N **09/149747**
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Unscannable Application paper found during Document Preparation:

Type of Document

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